

PUBLIC NOTICE

PERMIT APPLICATION: NRS 07.270

APPLICANT: Ben Moore
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Cleveland, Tenn. 37320
423-479-5855

LOCATION: Unnamed tributary to South Mouse Creek, Frontage Road, City of Cleveland
Bradley County 35.2147 °N, -84.8686 °W

WATERSHED DESCRIPTION: This project is located in the Hiwassee River watershed (TN06020002) that is characterized by agriculture, pasture and increasing urbanization. The surrounding properties are under construction for commercial retail facilities. The unnamed tributary to South Mouse was not previously assessed by the division for its support of classified uses. Its designated uses are fish and aquatic life, irrigation, livestock watering and wildlife, and recreation. Upstream of the property, approximately 1,000 feet of this tributary is in a pipe. Downstream of this property is piped all the way to Sgt. Paul Huff Parkway. The stream has an average width of 1 - 2 feet wide and water depth of 0 – 1 inch. The substrate is sand and gravel and the riparian zone is largely privet and other hedge plants. It was dry during the August 2007 site visit. A high-gradient stream habitat assessment yielded a score of 50. The tributary was determined to be Tier I during an August 2007 assessment.

Color photos of the existing stream can be viewed on the Internet version of this notice at <http://www.state.tn.us/environment/wpc/ppo/arap>.

PROJECT DESCRIPTION: The applicant proposes to encapsulate 222 linear feet of the unnamed tributary to facilitate commercial development. The pipe will be 200.5 feet of 60” RCP connecting the existing upstream and downstream pipe segments. The piped tributary will be covered with 15 feet of fill dirt. The instream work will be performed using construction and erosion control methods to minimize sedimentation or water contamination. The total fill site is 1.59 acres.

In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activity will result in degradation to water quality.

USGS TOPOGRAPHIC QUADRANGLE: East Cleveland 120 NE

PERMIT COORDINATOR: Juliana W. Kyzar

No decision has been made whether to issue or deny this permit. The purpose of this notice is to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant’s name and permit number should be referenced.

Interested persons may also request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing.

The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address for review and/or copying. The department's address is:

Tennessee Department of Environment & Conservation
Division of Water Pollution Control, Natural Resources Section
7th Floor L & C Annex
401 Church Street
Nashville, TN 37243

In deciding whether to issue or deny a permit, the department will consider all comments on record and the requirements of applicable federal and state laws.

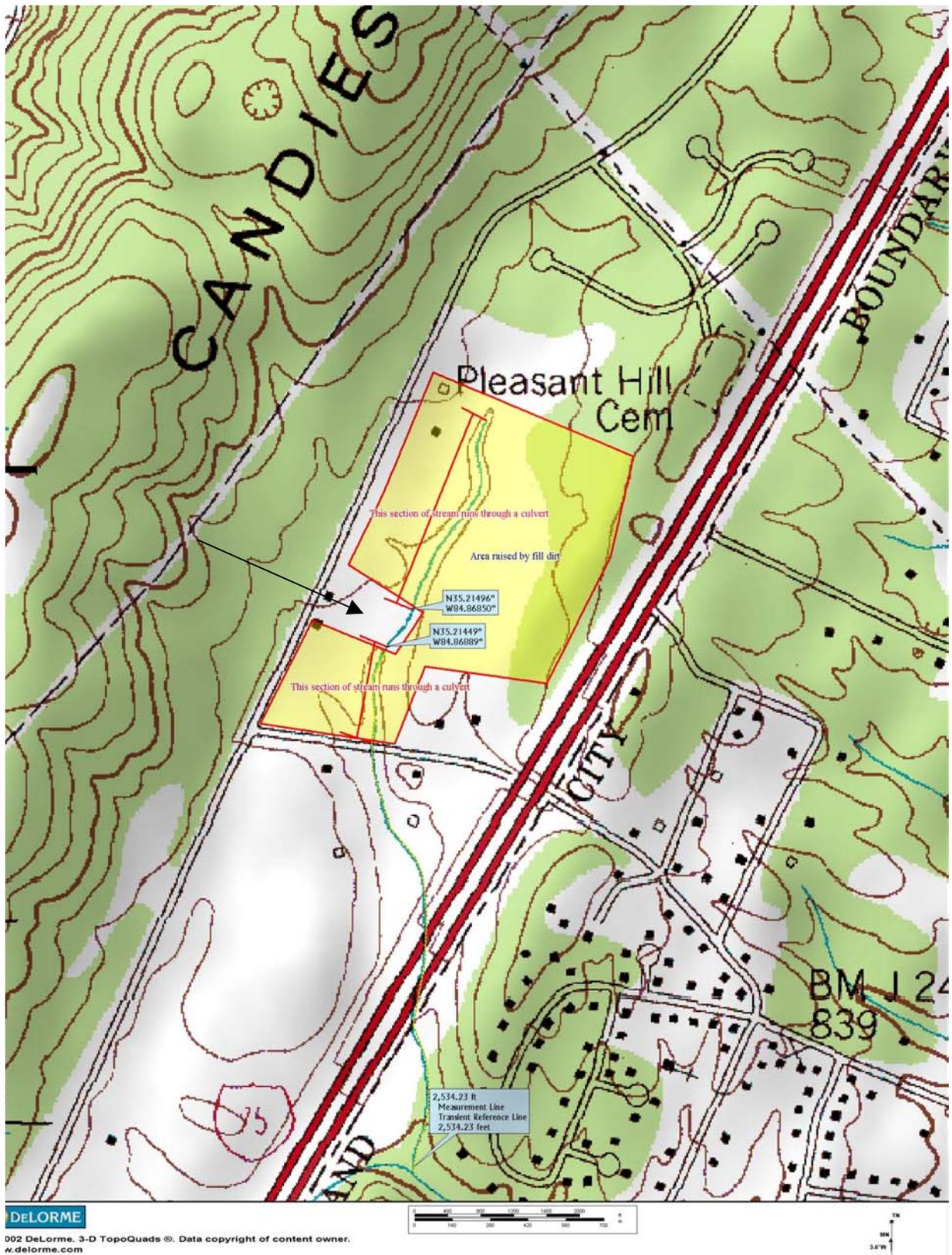


Figure 1: USGS topographic map, with project area indicated and comments by Chattanooga EFO.



Photo 1: Stream bed runs at base of this existing high wall. Photo by ChEFO



Photo 2: Upstream end of culvert Photo by ChEFO (matches point 2 in figure 2)



Photo 3: Downstream end of culvert Photo by ChEFO (matches point 4 in figure 2)

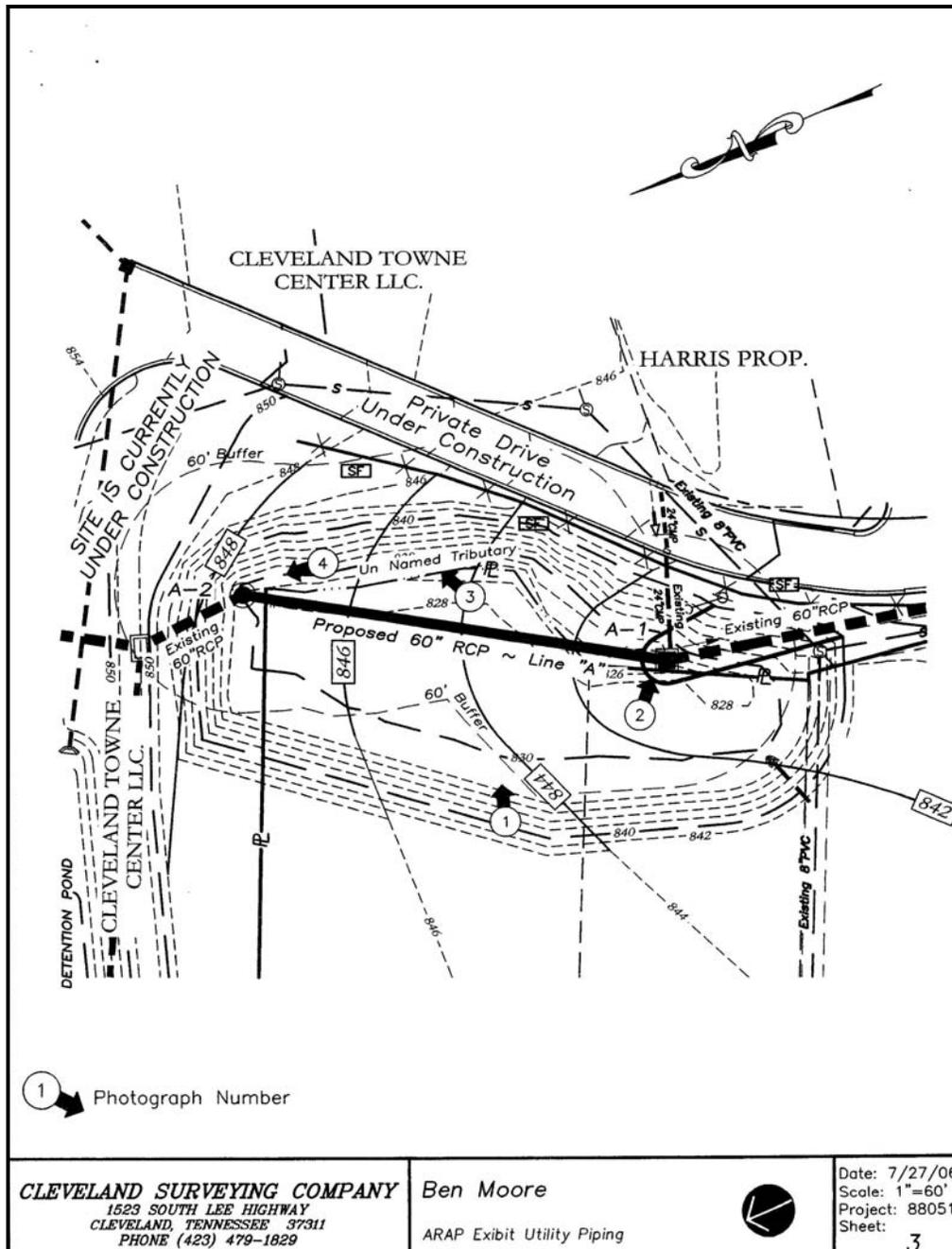


Figure 2: Site plan

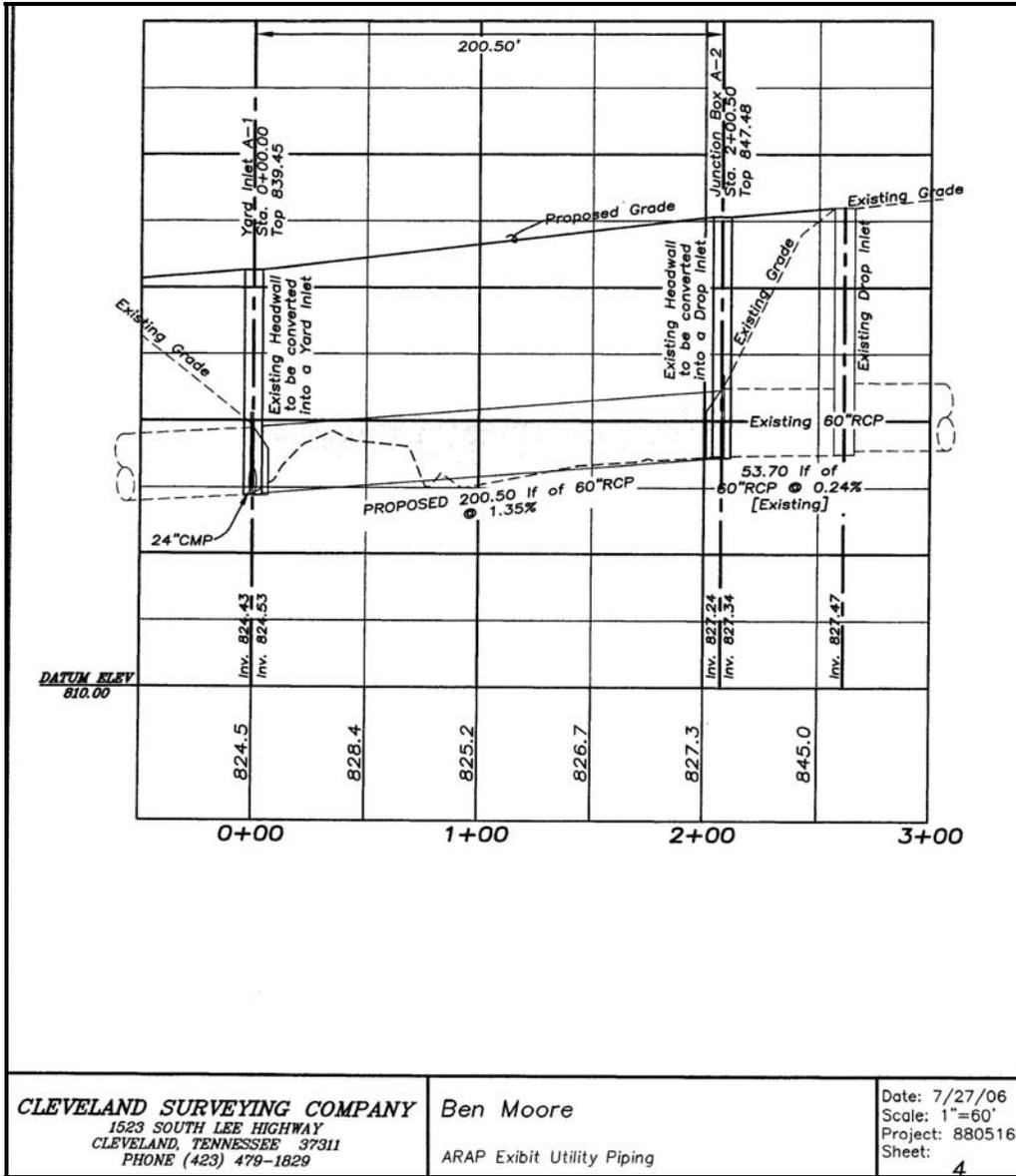


Figure 3: View of proposed grade and pipe